

**LEGISLATIVE/EXECUTIVE & LOCAL GOVERNMENT SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2017-18
TO THE PROVISO SUBCOMMITTEE**

SECTION 91 - A990 - LEGISLATIVE DEPARTMENT

91.23 **AMEND** (Technology Panel) Directs the K-12 Technology Initiative partnership to provide a report that describes the state’s efforts to facilitate providing cost effective connectivity and internet bandwidth to schools and libraries statewide and to report on certain technology related activities by June 1, 2017.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to specify that the funds referenced are appropriated in SDE program VIII.D. and update report due date to June 1, “2018.” Requested by Department of Administration.

91.23. (LEG: Technology Panel) Of the funds appropriated in ~~XII.E.2.~~ *the Department of Education’s program VIII.D.* for Technology the K-12 Technology Initiative partnership shall provide a report to the House Education and Public Works Committee, the House Ways and Means Committee, the Senate Education Committee and the Senate Finance Committee, describing the state’s efforts to facilitate the cost effective provision of connectivity and internet bandwidth to schools and libraries on a statewide basis, regardless of location, activities to assist schools and libraries in minimizing and detecting internet security threats, the development and utilization of technological and online resources to support student development and achievement, the development and utilization of curriculum and professional training to support the use of instructional technology in schools and libraries, and other educational technology related activities engaged in by the partnership. Further, the report must detail information on the expenditure of the K-12 Technology funds by each district as well as a list of the districts requesting flexibility in the use of those funds. The report shall be submitted no later than June 1, ~~2017~~ 2018.

SECTION 93 - D500 - DEPARTMENT OF ADMINISTRATION

93.11 **AMEND** (Crime Victims Ombudsman) Directs the State Office of Victim’s Assistance to transfer \$85,000 to the Crime Victims Ombudsman’s Office for administrative and operations support.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “\$85,000 to \$116,000.” *Adjustments to funding amounts are needed to cover increased operating costs, payroll and employer contributions.* Fiscal Impact: Agency states there would be an increase in other fund expenditures of \$31,000 and is necessary as the carry forward funds for the Crime Victims Ombudsman Office will be depleted in FY 2018-19. Requested by Department of Administration.

93.11. (DOA: Crime Victims Ombudsman) For the current fiscal year, the State Office of Victims Assistance shall transfer ~~\$85,000~~ \$116,000 to the Crime Victims Ombudsman’s Office to be used for administrative and operational support.

93.13 **DELETE** (Carillon Tower) Directs the DOA OEPP Veterans’ Affairs Program to use any M.J. “Dolly” Cooper Veterans Cemetery carry forward funds to build the Carillon Tower to house the bell tower music sound system for the cemetery.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Project is complete.* Requested by Department of Administration.

93.13. (DOA: Carillon Tower) ~~The Department of Administration, Office of Executive Policy and Programs, Veterans’ Affairs Program shall use any carry forward funds authorized~~

**LEGISLATIVE/EXECUTIVE & LOCAL GOVERNMENT SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2017-18
TO THE PROVISO SUBCOMMITTEE**

for the M.J. "Dolly" Cooper Veterans Cemetery to construct the Carillon Tower to house the sound system used to provide bell tower music for the cemetery.

- 93.25** **AMEND** (Emerging Leaders Program) Directs DOA Office of Human Resources to establish an Emerging Leaders Program designed to identify and develop the next generation of state government leaders. Requires the plans for the program be completed in time for the first cohort of participants to be selected by June 30, 2017.
SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update calendar year reference to "2018."

93.25. (DOA: Emerging Leaders Program) (A) With the funds appropriated to the Office of Human Resources, the Department of Administration shall establish an Emerging Leaders Program (ELP) that is designed to identify and develop the next generation of South Carolina state government's leaders by attracting and/or retaining imminent or recent graduates of relevant post-baccalaureate programs to careers in public service. In order to cultivate effective and innovative leaders with demonstrated problem-solving capabilities, the program shall be cohort-based and require participants to complete rotations in a variety of functional roles that focus on budgeting, policymaking, operations/service delivery, and other appropriate/elective fields. These rotations shall be augmented by and interspersed with classroom-based modules on organizational behavior, decision-making processes, principles of leadership, and other appropriate topics. The program's ultimate design shall reflect the department's assessment of best practices in both public-sector and private-sector management and/or leadership development programs.

(B) Plans for the program shall be completed in time for the first cohort of participants to be selected by June 30, ~~2017~~ 2018.

SECTION 95 - E040 - OFFICE OF THE LIEUTENANT GOVERNOR

- 95.5** **AMEND** (Home and Community-Based Services) Provides for the use, allocation, and carry forward of Home and Community-Based Services funds.
SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change technical references to allowable services. Authorize the Lieutenant Governor's Office on Aging to retain ¼ of 1% of the funds to monitor and oversee the program. Reduce from 5% to 3% the amount of funds which the Lt. Governor's Office on Aging may retain for allocation in case of a recognized emergency and/or natural disaster recognized by the Governor. Delete the requirement that funds be allocated based on the Intrastate Funding Formula methodology and instead direct that the formula be used as a guideline and direct the Lt. Governor's Office on Aging develop and implement a structured methodology to allocate the funding. *Reduction from 5% to 3% would provide more funds for core services to seniors.* Fiscal Impact: Agency states based on current appropriations 3% would provide \$329,160 for emergencies or natural disasters and ¼ of 1% would provide \$27,430 for monitoring. Requested by Lieutenant Governor's Office.

95.5. (LTG: Home and Community-Based Services) State funds appropriated for Home and Community-Based Services shall be used to fund those services that most directly meet the goal of allowing seniors to live safely and independently at home. Allowable services as defined in the Lieutenant Governor's State Plan include: group dining, home delivered meals, transportation to group dining sites, transportation for essential trips, ~~Home Care Level I and II~~ personal care (formerly Home Care Level I), homemaker (formerly Home Care Level II), Home Chore, Home Modification, Legal Assistance, and Assessments, ~~and~~ Area Agencies on Aging

**LEGISLATIVE/EXECUTIVE & LOCAL GOVERNMENT SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2017-18
TO THE PROVISO SUBCOMMITTEE**

(AAAs) may expend no more than ten percent for administrative services and one-quarter of one percent shall be retained by the Lieutenant Governor's Office on Aging to provide monitoring and oversight of the program. ~~All state funds appropriated for Home and Community Based Services are to be allocated to the AAAs based on the methodology of the Intrastate Funding Formula.~~ However, up to ~~five~~ three percent of the annual state appropriation for Home and Community-Based Services may be retained at the ~~state office~~ Lieutenant Governor's Office on Aging to be allocated by the Lieutenant Governor's Office on Aging to the affected regions in cases of a ~~recognized~~ emergency and/or natural disaster recognized by the Governor. If these funds are not utilized in the fiscal year allocated, they are to be treated as carry forward funds and reallocated to the AAAs. The Interstate Funding Formula shall be used as a guideline for the allocation of state funds appropriated for Home and Community-Based Services. The Lieutenant Governor's Office on Aging shall develop and implement a structured methodology to allocate the state Home and Community-Based Services funding. The methodology shall include flexibility to reallocate funds amongst the AAAs, and be composed of, at a minimum, the following factors: a minimum base amount, the fiscal year's federally allocated funds, federal and state carry forwards funds, and an appropriate weighted proportion that will achieve the mission of the Lieutenant Governor's Office on Aging to provide as many services as possible to the citizens of South Carolina. ~~The AAAs are to~~ Each AAA shall submit a budget for approval by the Lieutenant Governor's Office on Aging indicating the services to be provided. Any unexpended Home and Community-Base Services funds in this program shall be carried forward by the Lieutenant Governor's Office on Aging and used for the same purposes. Funds may not be transferred from the Home and Community-Based special line item for any other purpose.

- 95.7** **DELETE** (Referring Agency) Designates the Lieutenant Governor's Office on Aging as a "referring agency" to the 14 Community Action Agencies in the state and to OEPP, Office of Economic Opportunity for services for the elderly. Requires OEPP provide a report by September 1st to the Chairmen of the Senate Finance and House Ways and Means Committees on the status of all referrals received from the Lt. Governor's Office on Aging in the prior fiscal year.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The agency states that the objective has been met.* Requested by Lieutenant Governor's Office.

95.7. (LTG: Referring Agency) ~~The Lieutenant Governor's Office on Aging shall serve as a "referring agency" to the fourteen Community Action Agencies (CAAs) in South Carolina and to the Governor's Office of Executive Policy and Programs, Office of Economic Opportunity for services for the elderly population. The Governor's Office of Executive Policy and Programs shall provide a report to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee by September first on all referrals received from the Lieutenant Governor's Office on Aging in the prior fiscal year and on the status of the referrals.~~

SECTION 99 - E190 - RETIREMENT SYSTEM INVESTMENT COMMISSION

- 99.1** **AMEND** (Retirement Investment Commission Audit) Suspends, for FY 2016-17, the requirement that the Inspector General employ a private audit firm to perform the fiduciary audit on the Retirement System Investment Commission and directs any savings from not conducting the audit be used to conduct the required PEBA audit.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to "2017-18."

**LEGISLATIVE/EXECUTIVE & LOCAL GOVERNMENT SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2017-18
TO THE PROVISO SUBCOMMITTEE**

99.1. (RSIC: Retirement Investment Commission Audit) For Fiscal Year ~~2016-17~~ 2017-18, the provisions of Section 9-16-380 requiring the Inspector General to employ a private audit firm to perform the fiduciary audit on the Retirement System Investment Commission as required by Section 9-16-380 of the 1976 Code shall be suspended. Any savings generated by not conducting the audit shall be used to conduct audits required by Section 9-4-40 of the 1976 Code.

99.2 **DELETE** (Semi-Annual Meetings) Requires the Retirement System Investment Commission appear semi-annually before the Ways and Means Committee's Legislative, Executive, and Local Government Subcommittee, at the subcommittee's request, in order to review quarterly investment reports and agency operations.
SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~**99.2.** (RSIC: Semi-Annual Meetings) The Retirement System Investment Commission shall be required to appear before House Ways and Means Committee's, Legislative, Executive and Local Government Subcommittee on a semi-annual basis at the request of the subcommittee. The purpose of the meeting shall include, but not be limited to, the review of quarterly investment reports and agency operations.~~

99.3 **DELETE** (Administrator Retention) Directs the Retirement System Investment Commission to retain 25% of the annual amount invoiced for its 3rd party administrator system to ensure the system's performance. Requires the funds be held in a retainage account and directs that they can only be distributed after satisfactory performance has been verified by the Investment Commission and Procurement Services. Authorizes undistributed funds to be carried forward and used for the same purpose.
SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *The 3rd party administrator's performance has been verified and the retained amount has been paid. The proviso is no longer necessary.* Requested by Retirement System Investment Commission.

~~**99.3.** (RSIC: Administrator Retention) The Retirement System Investment Commission shall retain twenty five percent of the annual amount invoiced for its third party administrator system for the purpose of ensuring the performance of the third party administrator. The funds must be held in a retainage account and may only be distributed after verification of satisfactory performance by the Investment Commission and Procurement Services pursuant to the service agreement with the third party administrator. All undistributed funds in the retainage account may be carried forward from the prior fiscal year and used for the same purpose.~~

SECTION 100 - E240 - OFFICE OF ADJUTANT GENERAL

100.9 **AMEND** (Billeting and Dining Facility Operations) Authorizes Billeting and Dining Facility Operations revenue to be retained and expended in their budgeted operations or to support SCMD operations, including use for matching federal funds, and armory maintenance and operations.
SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the authorization to expend billeting and dining facility revenue to support SCMD operations and armory maintenance and operations. *Audit findings from US Property and Fiscal Accounting Office have determined that use of the funds for that purpose is not authorized.* Requested by Office of Adjutant General.

100.9. (ADJ: Billeting and Dining Facility Operations) All revenues collected by the Billeting and Dining Facility operations at the R.L. McCrady Training Center shall be retained

**LEGISLATIVE/EXECUTIVE & LOCAL GOVERNMENT SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2017-18
TO THE PROVISO SUBCOMMITTEE**

and expended in their budgeted operations ~~or be expended in support of SCMD operations, including use for matching federal funds, and armory maintenance and operations.~~ Expenditures from these funds shall be determined by the Billeting Committee for Billeting operations and the Deputy Adjutant General for state operations for the Dining Facility operation.

- 100.19 DELETE** (2015 Flood Expenditure Status Report) Requires EMD to prepare a quarterly report on the status of the expenditure of “FEMA State and Local Match for 2015 Flooding” funds appropriated by proviso 118.16 of ACT 284 of 2016 and to submit the reports to the Chairmen of the Senate Finance and House Ways and Means Committees beginning September 30, 2016.
SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~**100.19.** (ADJ: 2015 Flood Expenditure Status Report) The Emergency Management Division of the Office of the Adjutant General shall prepare a quarterly report on the status of the expenditure of the funds appropriated by proviso 118.16 of the Fiscal Year 2016-17 Appropriation Act for FEMA State and Local Match for 2015 Flooding. The report must include, but is not limited to, expenditure by category of work by state/local and by county and shall be submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee beginning September 30, 2016.~~

SECTION 101 - E280 - ELECTION COMMISSION

- 101.1 AMEND** (County Boards of Voter Registration and Elections Compensation) Authorizes compensation for each County Boards of Voter Registration Elections Commissioners at the rate of \$1,500 annually and limits each county to \$12,500 per year. Exempts funds appropriated for this purpose from budget reductions.
SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “Commissioners” to “board members.” *All county boards of voter registration and election commissions were combined per Act 196 of 2014 and there are no longer any separate county election commissioners.* Requested by Election Commission.

101.1. (ELECT: County Boards of Voter Registration and Elections Compensation) The amounts appropriated in this section for “County Boards of Voter Registration and Elections ~~Commissioners~~ *board members*,” shall be disbursed annually to the County Treasurer at the rate of \$1,500 for each member, not to exceed \$12,500 per county. The County Treasurer shall use these funds only for the compensation of County Boards of Voter Registration and Elections ~~Commissioners~~ *board members*. Any funds not used for this purpose shall be returned to the State Treasurer. These funds are exempted from mandated budget reductions. In addition, in the calculation of any across the board agency base reductions mandated by the Executive Budget Office or the General Assembly, the amount of funds appropriated for compensation of County Boards of Voter Registration and Elections ~~Commissioners~~ *board members* shall be excluded from the agency’s base budget.

- 101.9 DELETE** (Help America Vote Act) Authorizes the Election Commission to use funds appropriated for primary and general elections to match the Help America Vote Act program to the greatest extent possible and ensure compliance with Uniformed and Overseas Citizens Absentee Voting Act.
SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

**LEGISLATIVE/EXECUTIVE & LOCAL GOVERNMENT SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2017-18
TO THE PROVISO SUBCOMMITTEE**

~~101.9. (ELECT: Help America Vote Act) Of funds appropriated to the commission for primary and general elections, the commission shall utilize any excess funds to match the Help America Vote Act program to the greatest extent possible, and also ensure compliance with the Uniformed and Overseas Citizens Absentee Voting Act of 1986.~~

- 101.11 DELETE** (HAVA Match Funds) Directs that funds appropriated from the General Fund for matching federal Help America Vote Act funds must be placed in a restricted account so that interest accrues to that account.
SUBCOMMITTEE RECOMMENDATION: DELETE proviso.

~~101.11. (ELECT: HAVA Match Funds) Funds appropriated through the General Fund for the purpose of providing a match for federal funds received through the Help America Vote Act (HAVA) shall be moved to a restricted account in order that the funds may accrue interest as per Section 254 (b) (1) of the Help America Vote Act.~~

SECTION 102 - E500 - REVENUE AND FISCAL AFFAIRS OFFICE

- 102.3 DELETE** (SC Boundary Commission) Establishes the SC Boundary Commission which is directed to work with NC Boundary Commission to re-establish the boundaries between the two states. Directs RFA to submit a progress report to the Senate Finance and House Ways and Means Committees within 60 days of the close of each fiscal year until the boundaries have been re-established.
SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *Re-establishment is completed.* Requested by Revenue and Fiscal Affairs Office.

~~102.3. (RFAO: SC Boundary Commission) There is hereby created the South Carolina Boundary Commission to be composed of seven members as follows: one member appointed by the President Pro Tempore of the Senate; one member appointed by the Speaker of the House of Representatives; one member appointed by the Chairman of the Senate Finance Committee; one member appointed by the Chairman of the House Ways and Means Committee; the Executive Director, or his designee, of the Revenue and Fiscal Affairs Office; the Director of the Department of Natural Resources, or his designee; and the technical advisor of the Geodetic and Mapping Survey Program appointed by the Executive Director of the Revenue and Fiscal Affairs Office who shall serve as the coordinator and chairman of the commission. The purpose of the commission is to work with the North Carolina Boundary Commission to oversee and approve work re-establishing the boundary between South Carolina and North Carolina.~~

~~The Executive Director of the Revenue and Fiscal Affairs Office is directed to submit a report to the Senate Finance Committee and the House Ways and Means Committee regarding the progress of re-establishing the South Carolina North Carolina boundary within sixty days of the close of each fiscal year until such re-establishment is completed.~~

- 102.sp ADD** (NG9-1-1 Strategic Plan) **SUBCOMMITTEE RECOMMENDATION:** ADD new proviso to authorize RFA to use wireless 9-1-1 fund compliance cost monies to further plan, develop and implement the comprehensive statewide NG9-1-1 system as outlined in the strategic plan; and define associated costs. Requested by Revenue and Fiscal Affairs Office.

102.sp. (RFAO: NG9-1-1 Strategic Plan) The Revenue and Fiscal Affairs Office shall be authorized to use funds from the 58.2 percent compliance cost portion of the wireless 9-1-1 fund for costs associated with the further planning, development, and implementation of the

**LEGISLATIVE/EXECUTIVE & LOCAL GOVERNMENT SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2017-18
TO THE PROVISO SUBCOMMITTEE**

comprehensive statewide NG9-1-1 system as outlined in the South Carolina NG9-1-1 strategic plan. Associated costs include, but are not limited to, the hiring of consultants, technical experts, or other professionals for assistance in defining, developing, or implementing the operating model and standards, system or technical requirements, or other elements of the system as outlined in the strategic plan.

SECTION 104 - E550 - STATE FISCAL ACCOUNTABILITY AUTHORITY

104.2 DELETE (Vacant Positions) Authorizes SFAA to delete positions that have been vacant more than 12 months.

SUBCOMMITTEE RECOMMENDATION: DELETE proviso. *See proviso 117.14 for FTE management.* Requested by Department of Administration.

~~**104.2.** (SFAA: Vacant Positions) *In the event that any permanent position in an agency remains vacant for more than twelve months the position may be deleted by the State Fiscal Accountability Authority.*~~

104.5 AMEND (Insurance Coverage for Aging Entity Authorized) Authorizes the Insurance Reserve Fund to provide insurance coverage for certain local aging entities. Directs that the IRF and the State shall not be liable for any coverage insufficiencies.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year references to “2017-18.”

104.5. (SFAA: Insurance Coverage for Aging Entity Authorized) The State Fiscal Accountability Authority, through the Insurance Reserve Fund, for Fiscal Year ~~2016-17~~ 2017-18, is also authorized to offer insurance coverage to an aging entity and its employees serving clients countywide which previously obtained its tort liability insurance coverage through the board. The Insurance Reserve Fund and the State of South Carolina shall not be liable to any person or entity, including an insured, for any insufficiencies of coverage provided hereunder.

SECTION 105 - F270 - SFAA, STATE AUDITOR’S OFFICE

105.iad CONFORM TO FUNDING / ADD (DOT Internal Audits Division) **SUBCOMMITTEE RECOMMENDATION:** CONFORM TO FUNDING RECOMMENDATION / ADD new proviso to direct DOT to transfer \$840,000 to the State Auditor, less any state funds appropriated to maintain internal audit services. Direct that these funds are to support the requirements of Act 275 of 2016 which gives responsibility for managing DOT internal audit functions to the State Auditor. Prohibit these funds from being used for any other purpose and authorize the funds to be carried forward. Requested by State Auditor’s Office.

105.iad. (SFAA-AUD: DOT Internal Audits Division) *The Department of Transportation shall transfer to the State Auditor’s Office the amount of \$840,000 less any state funds appropriated by the General Assembly for the purpose of maintaining internal audit services. These funds shall be used to support the requirements of Act 275 of 2016 which gives the State Auditor the responsibility for managing the internal audit functions of the Department of Transportation. These funds shall not be used for any other purpose. Any unexpended funds shall be carried forward from the prior fiscal year into the current fiscal year and be expended for the same purposes.*

**LEGISLATIVE/EXECUTIVE & LOCAL GOVERNMENT SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2017-18
TO THE PROVISO SUBCOMMITTEE**

SECTION 112 - V040 - DEBT SERVICE

112.1 AMEND (Excess Debt Service) Provides for the expenditure of excess FY 2015-16 debt service funds in FY 2016-17.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year references.

112.1. (DS: Excess Debt Service) Excess debt service funds from Fiscal Year ~~2015-16~~ 2016-17 must be carried forward and expended in Fiscal Year ~~2016-17~~ 2017-18 to pay down general obligation bond debt for which the State (1) is paying the highest rate of interest, (2) will achieve relief in constrained debt capacity, or (3) reduce the amount of debt issued.

SECTION 113 - X220 - AID TO SUBDIVISIONS, STATE TREASURER

113.2 AMEND (Quarterly Distributions) Provides for the quarterly distribution of Aid to Subdivisions Local Government Fund.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year references to “2017-18.”

113.2. (AS-TREAS: Quarterly Distributions) For Fiscal Year ~~2016-17~~ 2017-18, one quarter of the amount appropriated in Part IA for Aid to Subdivisions-Local Government Fund shall be distributed as soon after the beginning of each quarter as practical with the four distributions together totaling the Fiscal Year 2016-17 Part IA appropriation for the Local Government Fund.

113.5 AMEND (LGF) Suspends Sections 6-27-30 [FUNDING OF LOCAL GOVERNMENT FUND FROM GENERAL FUND REVENUES] and 6-27-50 [RESTRICTIONS ON AMENDMENT OR REPEAL OF CHAPTER] for Fiscal Year 2014-15.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to “2017-18.”

113.5. (AS-TREAS: LGF) For Fiscal Year ~~2016-17~~ 2017-18, the provisions of Section 6-27-30 and Section 6-27-50 of the 1976 Code are suspended.

113.7 AMEND (Political Subdivision Flexibility) Authorizes political subdivisions that receive Local Government Fund monies to reduce the amount of support they provide to any state mandated program or requirement up to the percentage their Local Government Fund appropriation has been reduced compared to the amount required to be funded by law, but excludes the court system from the reductions.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to “2017-18.”

113.7. (AS-TREAS: Political Subdivision Flexibility) For Fiscal Year ~~2016-17~~ 2017-18, a political subdivision receiving aid from the Local Government Fund may reduce its support to any state mandated program or requirement, by up to a percentage equal to the percentage reduction in the actual amount appropriated to the Local Government Fund as compared to the amount required to be appropriated pursuant to Section 6-27-30. Excluded from said reductions are Administrative Law Judges and their offices, Court of Appeals and their offices, Circuit and Family Courts and their offices, Magistrates and their offices, Masters-in-Equity and their offices,

**LEGISLATIVE/EXECUTIVE & LOCAL GOVERNMENT SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2017-18
TO THE PROVISO SUBCOMMITTEE**

Probate Courts and their offices, Public Defenders and their offices, Solicitors and their offices, and the Supreme Court and their offices.

SECTION 117 - X900 - GENERAL PROVISIONS

117.2 **AMEND** (Appropriations From Funds) Directs that funds appropriated from the General Fund, EIA Fund, Highways and Public Transportation Fund and other applicable funds are to meet the ordinary expenses of the State for FY 2016-17.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year reference to “2017-18.” *Technical.*

117.2. (GP: Appropriations From Funds) Subject to the terms and conditions of this act, the sums of money set forth in this part, if so much is necessary, are appropriated from the General Fund of the State, the Education Improvement Act Fund, the Highways and Public Transportation Fund, and other applicable funds, to meet the ordinary expenses of the state government for Fiscal Year ~~2016-17~~ 2017-18, and for other purposes specifically designated.

117.3 **AMEND** (Fiscal Year Definitions) Defines current and prior fiscal year time frames.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year references from “2016” to “2017;” “2017” to “2018;” and “2015” to “2016.” *Technical.*

117.3. (GP: Fiscal Year Definitions) For purposes of the appropriations made by this part, “current fiscal year” means the fiscal year beginning July 1, ~~2016~~ 2017, and ending June 30, ~~2017~~ 2018, and “prior fiscal year” means the fiscal year beginning July 1, ~~2015~~ 2016, and ending June 30, ~~2016~~ 2017.

117.14 **AMEND** (Personal Service Reconciliation, FTEs) Provides guidelines for the Executive Budget Office to monitor full-time equivalent (FTE) positions and directs that no agency may exceed the total FTEs authorized in the Appropriation Act except upon majority vote of the State Fiscal Accountability Authority. Directs that personal services funds in the Governor’s budget recommendations must be at least 97% funded.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete the requirement in item (2)(a) that non-established positions be deleted and the directive that no positions be established in excess of the total number of authorized FTE positions. Amend item (2)(b) to change “personal service” analysis to “FTE” analysis and require the analysis be completed for the current and last two fiscal years. Delete item (2)(c) which allows SFAA to direct that unfunded or significantly underfunded positions be deleted. Amend item (5) to delete current directive to annually reconcile personal service funds with full-time employee count and instead permit the number of authorized positions in this act to be increased if an agency determines that the duties of Temporary, Time-Limited, and Temporary Grant positions created before July 1, 2017 will continue indefinitely and merit being classified as a FTE; exempt these newly created FTEs from the posting process; and direct that affected Temporary Grant and Time-Limited employees unused annual and sick leave shall transfer to their FTE position. Direct the Division of State Human Resources, in consultation with EBO, to formulate guidelines for administering this item and provide for certain information to be included in any request to convert a position. Direct DOA to review, approve, deny, or modify the request, as appropriate; ensure that FTE Constitutional limits are observed; and to submit a report on FTEs issued through this item to the Chairmen of the Senate Finance and House Ways and Means Committees by January 6.

**LEGISLATIVE/EXECUTIVE & LOCAL GOVERNMENT SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2017-18
TO THE PROVISO SUBCOMMITTEE**

117.14. (GP: ~~Personal Service Reconciliation, FTEs~~ *FTE Management*) In order to provide the necessary control over the number of employees, the Executive Budget Office is hereby directed to maintain close supervision over the number of state employees, and to require specifically the following:

(1) That no state agency exceed the total authorized number of full-time equivalent positions and those funded from state sources as provided in each section of this act except by majority vote of the State Fiscal Accountability Authority.

(2) That the Executive Budget Office shall maintain and make, as necessary, periodic adjustments thereto, an official record of the total number of authorized full-time equivalent positions by agency for state and total funding sources.

(a) That within thirty days of the passage of the Appropriation Act or by August first, whichever comes later, each agency of the State must have established on the Executive Budget Office records all positions authorized in the Act. ~~After that date, the office shall delete any non-established positions immediately from the official record of authorized full-time equivalent positions. No positions shall be established by the office in excess of the total number of authorized full-time equivalent positions.~~ Each agency may, upon notification to the Executive Budget Office, change the funding source of state FTE positions established on the Executive Budget Office records as necessary to expend federal and other sources of personal service funds to conserve or stay within the state appropriated personal service funds. No agency shall change funding sources that will cause the agency to exceed the authorized number of state or total full-time equivalent positions. Each agency may transfer FTEs between programs as needed to accomplish the agency mission.

(b) That by September thirtieth, the office shall prepare a ~~personal service~~ *FTE* analysis, by agency, which shows the number of ~~established~~ *authorized, filled, and vacant* positions *by source of funds* for the *current and two previously completed* fiscal year years ~~and the amount of funds required, by source of funds, to support the FTEs for the fiscal year at a funding level of one hundred percent.~~ The office shall then reconcile each agency's personal service detail with the agency's personal service appropriation as contained in the Act adjusted for any pay increases and any other factors necessary to reflect the agency's personal service funding level. The office shall provide a copy of each agency's ~~personal service reconciliation~~ *FTE analysis* to the Senate Finance and House Ways and Means Committees.

~~(c) That any position which is shown by the reconciliation to be unfunded or significantly underfunded may be deleted at the direction of the State Fiscal Accountability Authority.~~

(3) That full-time equivalent (FTE) positions shall be determined under the following guidelines:

(a) The annual work hours for each FTE shall be the agency's full-time standard annual work hours.

(b) The state FTE shall be derived by multiplying the state percentage of budgeted funds for each position by the FTE for that position.

(c) All institutions of higher education shall use a value of 0.75 FTE for each position determined to be full-time faculty with a duration of nine months.

The FTE method of accounting shall be utilized for all authorized positions.

(4) That the number of positions authorized in this act shall be reduced in the following circumstances:

(a) Upon request by an agency.

(b) When anticipated federal funds are not made available.

(c) When the Executive Budget Office, through study or analysis, becomes aware of any unjustifiable excess of positions in any state agency.

**LEGISLATIVE/EXECUTIVE & LOCAL GOVERNMENT SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2017-18
TO THE PROVISO SUBCOMMITTEE**

~~(5) That the Executive Budget Office shall annually reconcile personal service funds with full time employee count. Unfunded positions will be eliminated no later than January fifteenth of the current fiscal year unless specifically exempted elsewhere in this act or by the Executive Budget Office. The Executive Budget Office must report the full time employee count and unfunded position status to the Senate Finance Committee and the Ways and Means Committee by February first of the current fiscal year. That the number of positions authorized in this act shall be increased for the sole purpose of classifying Temporary, Time-Limited and Temporary Grant positions created prior to July 1, 2017, that merit such classification as FTEs because the agency has determined that the duties will continue indefinitely. The new FTEs created through this process and filled by existing non-FTE staff shall be exempt from the posting process. Additionally, affected Temporary Grant and Time-Limited employees shall transfer any unused annual and sick leave to their FTE positions.~~

The Division of State Human Resources, in consultation with the Executive Budget Office, shall formulate guidelines for the administration of this item. The request by the agency must include a justification for changing the position, justification of an insufficient vacancy pool, identification of sufficient funds with current appropriations, identification of source of funds to be utilized, and assurance that the FTEs are not being used to create new jobs. The guidelines shall also include a process for submitting requests including a deadline for submission of requests.

The Department of Administration shall review the request and approve, deny, or modify it as appropriate. The department shall further ensure that the FTE Constitutional limits are observed. This item in no way requires agencies to submit requests, and does not guarantee any employment status to staff. A report on FTE issuance through this item shall be submitted to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee no later than January 6 of the current fiscal year.

(6) That no new permanent positions in state government shall be funded by appropriations in acts supplemental to this act but temporary positions may be so funded.

(7) That the provisions of this section shall not apply to personnel exempt from the State Classification and Compensation Plan under item I of Section 8-11-260 of the 1976 Code.

The Governor, in making his appropriation recommendations to the Ways and Means Committee, must provide that the level of personal service appropriation recommended for each agency is at least ninety-seven percent of the funds required to meet one hundred percent of the funds needed for the full-time equivalents positions recommended by the Governor (exclusive of new positions).

117.58 AMEND (Year-End Financial Statements - Penalties) Provides timeframes for submission of annual audited financial statements by agencies, institutions, and other reporting entities to the Comptroller General for inclusion in the State's CAFR. Requires the Comptroller General to provide a report to SFFA by November 30th on each noncompliant agency, institution, or other reporting entity.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change the date by which agencies whose fiscal year ends on June 30th must submit their final audited financial statements to the Comptroller General from "October first" to "October fifteenth."

117.58. (GP: Year-End Financial Statements - Penalties) Agencies, institutions, and other reporting entities required to submit annual audited financial statements for inclusion in the State's Comprehensive Annual Financial Report must submit final audited financial statements to the Comptroller General not later than October ~~first~~ fifteenth for those with fiscal year-end June thirtieth. For institutions and reporting entities with fiscal year-ends other than June thirtieth, final audited financial statements must be submitted to the Comptroller General within

**LEGISLATIVE/EXECUTIVE & LOCAL GOVERNMENT SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2017-18
TO THE PROVISO SUBCOMMITTEE**

120 days of that fiscal year-end. The Comptroller General shall provide a written report of each agency, institution, or other reporting entity not in compliance with this provision to the State Fiscal Accountability Authority by November thirtieth.

- 117.72 AMEND** (Printed Report Requirements) Directs that for Fiscal Year 2016-17, certain state agencies and higher education institutions shall not be required to submit printed reports and shall only submit the reports electronically and waives the submission of certain reports. Authorizes DOT to combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update fiscal year references to “2017-18.”

117.72. (GP: Printed Report Requirements) (A) For Fiscal Year ~~2016-17~~ 2017-18, state supported institutions of higher learning shall not be required to submit printed reports mandated by Sections 2-47-40, 2-47-50, and 59-103-110 of the 1976 Code, and shall instead only submit the documents electronically.

Submission of the plans or reports required by Sections 59-101-350, 59-103-30, 59-103-45(4), and 59-103-160(D) shall be waived for the current fiscal year, except institutions of higher learning must continue to report student pass rates on professional examinations, and data elements otherwise required for the Commission on Higher Education Management Information System. The commission, in consultation with institutions, shall take further action to reduce data reporting burdens as possible.

(B) For Fiscal Year ~~2016-17~~ 2017-18, the Department of Agriculture shall not be required to submit printed reports mandated by Section 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12 agricultural education programs.

(C) For Fiscal Year ~~2016-17~~ 2017-18, the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid Annual Report required pursuant to Section 44-6-80 of the 1976 Code and shall instead only submit the documents electronically.

(D) For Fiscal Year ~~2016-17~~ 2017-18, the Department of Transportation shall not be required to submit printed reports or publications mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code.

The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability Report.

- 117.110 CONFORM TO FUNDING / AMEND** (South Carolina Welcome Centers) Directs PRT and DOT maintain a MOU that provides that PRT controls operations of all SC Welcome Centers and specifies control of certain responsibilities. Directs DOT to transfer \$3,313,560, less any state funds appropriated by the General Assembly for Welcome Centers, to PRT. Directs that these funds be placed in a separate and distinct fund and authorizes these funds to be carried forward and used for the same purposes.

SUBCOMMITTEE RECOMMENDATION: CONFORM TO FUNDING RECOMMENDATION / AMEND proviso to change “\$3,313,560” to “\$3,563,560.” *To provide sufficient funds to cover recurring facility costs.* Requested by Department of Parks, Recreation, and Tourism.

117.110. (GP: South Carolina Welcome Centers) The Department of Parks, Recreation and Tourism and the Department of Transportation shall maintain a Memorandum of Understanding (MOU) that provides that the Department of Parks, Recreation and Tourism shall control operations of all South Carolina Welcome Centers. The MOU shall include replacement, renovation and maintenance of the facilities, daily operations, and grounds maintenance and

**LEGISLATIVE/EXECUTIVE & LOCAL GOVERNMENT SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2017-18
TO THE PROVISO SUBCOMMITTEE**

upkeep and shall clearly define responsibility for additional portions of Welcome Centers to include paving and sidewalks. The Department of Transportation shall transfer to the Department of Parks, Recreation and Tourism the amount of ~~\$3,313,560~~ \$3,563,560 less any state funds appropriated by the General Assembly for the same purpose. The Department of Parks, Recreation and Tourism assumes responsibility for this amount and the timing of the transfer of these funds shall be defined as part of the MOU. The funds transferred to the Department of Parks, Recreation and Tourism shall be placed in a separate and distinct fund and these funds shall be carried forward from the prior fiscal year into the current fiscal year and be expended for the same purposes.

- 117.113 AMEND** (Information Technology and Information Security Plans) Requires all state agencies to submit an information technology plan and an information security plan for FY 2016-17 to the Department of Administration by October 1, 2016; to submit updates to the plan if changes are made after initial submission; and specifies information required to be included in the plans. Excludes the Judicial and Legislative Departments, public institutions of higher learning, technical colleges, political subdivisions, and quasi-governmental bodies from the requirements of this provision.

SUBCOMMITTEE RECOMMENDATION: AMEND proviso to change “October 1, 2016” to “August 1 of the current fiscal year” and to delete reference to “for Fiscal Year 2016-17.” Requested by Department of Administration.

117.113. (GP: Information Technology and Information Security Plans) (A) By ~~October 1, 2016~~ August 1 of the current fiscal year, all state agencies must submit an information technology plan and an information security plan for ~~Fiscal Year 2016-17~~ to the Department of Administration. State agencies must submit updates to their plans if there are changes following initial submission. Changes that would necessitate an updated plan include, but are not limited to, changes in response to technological advancements, changes in legislation, regulation or compliance requirements, newly identified funding sources, or new issues relating to information technology management or business requirements.

The information technology plans required by this section shall be in the form and level of detail required by the department and shall include at least: (1) the information technology objectives of the state agency; (2) an inventory of the state agency’s information technology; (3) any performance measures used by the state agency for implementing its information technology objectives; (4) how the state agency’s development of information technology coordinates with other governmental entities; (5) the state agency’s budget plans for information technology for the coming fiscal year which must include: (a) all fixed, recurring information technology costs, regardless of funding sources; (b) new information technology expenditures for services, hardware upgrades/replacements and software purchases, regardless of funding sources; (c) new information technology projects, regardless of funding sources; and (d) FTE counts, temporary personnel counts, and salary information and position descriptions for all information technology personnel, regardless of funding sources; and (6) the state agency’s need for appropriations for information technology.

The information security plans required by this section shall be in the form and level of detail required by the division and shall include at least: (1) the information security objectives of the state agency; (2) an inventory of the state agency’s information security technology; (3) a profile of the state agency’s compliance with security policies established by the division; (4) a profile of the state agency’s sensitive data and a description of applicable state and federal privacy requirements; (5) a profile of risk management and other measures taken by the state agency to protect its data from unauthorized access and disclosure; (6) the state agency’s budget plans for information security for the coming fiscal year which must include: (a) all fixed, recurring

**LEGISLATIVE/EXECUTIVE & LOCAL GOVERNMENT SUBCOMMITTEE
RECOMMENDATIONS FOR FY 2017-18
TO THE PROVISO SUBCOMMITTEE**

information security technology costs, regardless of funding sources; (b) new information security expenditures for services hardware upgrades/replacements and software purchases, regardless of funding sources; (c) new information security projects, regardless of funding sources; and (d) FTE counts, temporary personnel counts, and salary information and position descriptions for all information security personnel, regardless of funding sources; and (7) the state agency's need for appropriations for information security.

(B) The director of the Department of Administration should seek advice from private and public sector resources on the efficient use of information technology and best practices.

(C) The Judicial Department, Legislative Department, public institutions of higher learning, technical colleges, political subdivisions and quasi-governmental bodies are specifically exempt from the requirements as provided in this proviso.

SECTION 118 - X910 - STATEWIDE REVENUE

118.1 AMEND (Year End Cutoff) Directs year-end expenditure deadlines.
SUBCOMMITTEE RECOMMENDATION: AMEND proviso to update calendar year references to "2018." Requested by Office of Comptroller General.

118.1. (SR: Year End Cutoff) Unless specifically authorized herein, the appropriations provided in Part IA of this act as ordinary expenses of the State Government shall lapse on July 31, ~~2017~~ 2018. State agencies are required to submit all current fiscal year input documents and all electronic workflow for accounts payable transactions to the Office of Comptroller General by July ~~14, 2017~~ 13, 2018. Appropriations for Permanent Improvements, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Fiscal Accountability Authority and Joint Bond Review Committee, toward the accomplishment of the purposes for which the appropriations were provided. Appropriations for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Fiscal Accountability Authority, toward the accomplishment of the purposes for which the appropriations were provided.

118.8 AMEND (Agency Deficit Notice) Directs the Comptroller General or the Executive Budget Office provide each member of the General Assembly with written notification when it reports on any agency, department, or institution that is spending authorized appropriations at a rate that predicts or projects a general fund deficit and to make monthly progress reports on the entity's plan to reduce or eliminate the deficit.
SUBCOMMITTEE RECOMMENDATION: AMEND proviso to delete reference to Comptroller General. *Based on proviso 117.81 (Deficit Monitoring) the Executive Budget Office performs this function.* Requested by Office of Comptroller General.

118.8. (SR: Agency Deficit Notice) ~~The Comptroller General or the~~ Executive Budget Office shall (1) provide written notice to each member of the General Assembly when it makes a report concerning an agency, department, or institution that is expending authorized appropriations at a rate which predicts or projects a general fund deficit for the agency, department, or institution, and (2) make monthly progress reports concerning an agency's, department's, or institution's plan to reduce or eliminate the deficit.